


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

APR 14 2011

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK

FRED E. RIZK, RIZK INTERESTS, Ltd., §
EDWARD G. RIZK, SYLVIA R. RIZK, §
as Trustee of the RRR TRUST, §
KENNETH A. BARFIELD, and §
AUSTIN PROPERTIES, L.L.C., §

Plaintiffs, §

v. §

MYRM HOLDINGS, L.L.C., §
MRYM HOLDINGS, L.L.C., §
MRYM HOLDINGS, Ltd. Co., §
MRYM GROUP, Ltd., §
CHRISTOPHER L. BLACKWELL, §
RANDALL HIBSHMAN, and §
KANTI BAHL, §

Defendants. §

CIVIL ACTION NO. 1:11-CV-00180-LY
JURY DEMANDED

TEMPORARY RESTRAINING ORDER AND
ORDER SETTING TEMPORARY INJUNCTION HEARING

On this day, Plaintiffs Fred E. Rizk, Rizk Interests, Ltd., Edward G. Rizk, Sylvia R. Rizk, as Trustee of the RRR Trust, Kenneth A. Barfield, and Austin Properties, L.L.C. (collectively "Plaintiffs") filed a verified application seeking temporary and permanent relief, and in connection therewith have presented a request for temporary restraining order, as set forth in Plaintiffs' Original Complaint and Application for Temporary Restraining Order and Temporary Injunction ("Complaint"). It clearly appears from the facts set forth in the Complaint and accompanying affidavit that unless Defendants MYRM Holdings, L.L.C., MRYM Holdings, L.L.C., MRYM Holdings, Ltd. Co., MRYM Group, Ltd., Christopher L. Blackwell, Randall Hibshman, and Kanti Bahl (collectively "Defendants") are immediately ordered to turn over and

surrender possession and [REDACTED] control of Plaintiffs' property and assets acquired by use of Plaintiffs' property, Plaintiffs will suffer immediate and irreparable injury.

It is therefore ORDERED that Defendants, as well as any person or entity in active concert or participation with them, shall:

a. on or before 5:00 p.m. on ~~April 27~~ ^{April 27} 2011 turn over and surrender possession and [REDACTED] control to Plaintiffs the Morgan Stanley CMO, as described in Plaintiffs' Complaint;

b. on or before 5:00 p.m. on ~~April 27~~ ^{April 27} 2011 turn over and surrender possession and [REDACTED] control to Plaintiffs all profits, interest, earnings, monies, or other economic gain or property acquired by use of Plaintiffs' Morgan Stanley CMO as described in Plaintiffs' Complaint;

c. immediately cease trading, managing, selling, or otherwise making use or profit by or through the Morgan Stanley CMO, as described in Plaintiffs' Complaint;

d. be enjoined from disposing or utilizing, for their own benefit or the benefit of any other person or entity, the Morgan Stanley CMO or any other property misappropriated from Plaintiffs;

e. be enjoined from spending, transferring, or otherwise disposing of Plaintiffs' Morgan Stanley CMO; and

f. be enjoined from directly or indirectly disposing of any asset, property, or other good, tangible or intangible, acquired directly or indirectly by the use of Plaintiffs' Morgan Stanley CMO.

It is further ORDERED that Plaintiffs shall have all authority at law to (1) contact the various entities that may have knowledge of relevant facts pertaining to the whereabouts of

Plaintiffs' Morgan Stanley CMO, and (2) request information from those various entities regarding the whereabouts of the Morgan Stanley CMO, including, but not limited to, the dates and parties of any relevant transfers, purchases, or trades.


It is further ORDERED that a hearing on Plaintiffs' application for temporary injunction is hereby set for April 27, 2011 at 2:00 P. m. in ~~the~~ this court.

It is further ORDERED that the clerk of this Court issue notice for service on Defendants, notifying them of the time and place of the hearing, and commanding them to appear and show cause why the temporary injunction requested by Plaintiffs should not be granted.

It is further ORDERED that the clerk shall forthwith on the filing of the bond hereinafter required, and on approving the same according to law, issue a temporary restraining order in conformity with the law and the terms of this Order.

This Order shall not be effective unless and until Plaintiffs execute and file with the clerk a bond ^{or cash lieu thereof} in conformity with the law in the amount of \$ 500.00.

SIGNED this 14th day of April, 2011, at 10:20 a.m.



HONORABLE LEE YEAKEL
UNITED STATES DISTRICT JUDGE